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Docket No.: 208254US0

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

OBLON
SPIVAK
McCLELLAND
MAIER
&
NEUSTADT
P.C.
ATTORNEYS AT LAW

RE: Application Serial No.: 09/850,031

Applicants: Nobuhisa SHIMBA, et al.

Filing Date: May 8, 2001

For: METHOD FOR ISOTOPE LABELING OF PROTEIN
WITH ENZYME

Group Art Unit: 1651

Examiner: WEBER

SIR:

Attached hereto for filing are the following papers:

Response to Restriction Requirement (2 pp.)

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF : :

Nobuhisa SHIMBA, et al. : GROUP ART UNIT: 1651 #7

SERIAL NO.: 09/850,031 : :

FILED: MAY 8, 2001 : EXAMINER: WEBER P.J.J
11/5/02

FOR: METHOD FOR ISOTOPE LABELING OF PROTEIN WITH ENZYME

RESPONSE TO RESTRICTION REQUIREMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Responsive to the Official Action dated September 26, 2002, Applicants elect, with traverse, Group I, Claims 1-11, for further prosecution.

REMARKS

The Office has required restriction in the present application as follows:

Group I: Claims 1-11, drawn to a method for isotopically labeling a protein; and

Group II: Claims 12-15, drawn to a method of determining the substrate specificity of transglutaminase.

Applicants elect, with traverse, Group I, Claims 1-11, for further prosecution.

The Office has characterized the inventions of Groups I-II as unrelated. However, the Office has not provided sufficient reasons and/or examples to support this assertion. The Office has merely stated the conclusion. Accordingly, the Office has failed to meet the burden necessary in order to sustain the Restriction Requirement. Applicants respectfully submit that the Restriction Requirement should be withdrawn.